

FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180)

Complete if Known

Application Number	10/654,330
Filing Date	September 3, 2003
First Named Inventor	Warren F. Rogers et al.
Examiner Name	Demetrius R. Pretlow
Art Unit	2863
Attorney Docket No.	W0009/7000P5

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
Order

Deposit Account:

Deposit
Account
Number

58/158

Deposit
Account
Name

100-111-2-1-111-2

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

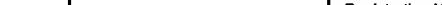
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code (\$)	
1051	130	2051	65
1052	50	2052	25
		Surcharge - late filing fee or oath	
		Surcharge - late provisional filing fee or cover sheet.	
		Non-English specification	
		For filing a request for reexamination	
		Requesting publication of SIR prior to Examiner action	
		Requesting publication of SIR after Examiner action	
		Extension for reply within first month	
		Extension for reply within second month	
		Extension for reply within third month	
		Extension for reply within fourth month	
		Extension for reply within fifth month	
		Notice of Appeal	
		Filing a brief in support of an appeal	
		Request for oral hearing	
		Petition to institute a public use proceeding	
		Petition to revive – unavoidable	
		Petition to revive – unintentional	
		Utility issue fee (or reissue)	
		Design issue fee	
		Plant issue fee	
		Petitions to the Commissioner	
		Processing fee under 37 CFR 1.17 (q)	
		Submission of Information Disclosure Stmt	180
		Recording each patent assignment per property (times number of properties)	
		Filing a submission after final rejection (37 CFR § 1.129(a))	
		For each additional invention to be examined (37 CFR § 1.129(b))	
		Request for Continued Examination (RCE)	
		Request for expedited examination of a design application	

For number previously paid, if greater. For Reissues, see above.

2 14 66 51 A

SUBMITTED BY

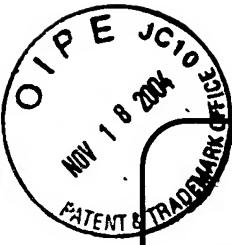
Complete if applicable

Name (Print/Type)	Robert P. Smith	Registration No. (Attorney/Agent)	48,680	Telephone	617-261-3100
Signature				Date	Nov. 16, 2004

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**TRANSMITTAL
FORM***(to be used for all correspondence after initial filing)*

		Application Number	10/654,330
		Filing Date	September 3, 2003
		First Named Inventor	Warren F. Rogers et al.
		Art Unit	2863
		Examiner Name	Demetrius R. Pretlow
Total Number of Pages in This Submission		Attorney Docket Number	W0009/7000P5

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	16 references postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Robert P. Smith
Signature	
Date	Nov. 16, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Robert P. Smith
Signature	
	Date

Nov. 16, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



ATTORNEY DOCKET NO: W0009/7000PS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Warren F. Rogers et al.
Serial No.: 10/654,330
Filed: September 3, 2003
Title: METHOD AND APPARATUS FOR MONITORING OPERATIONAL PERFORMANCE OF FLUID STORAGE SYSTEMS
Art Unit: 2863
Examiner: Demetrius R. Pretlow

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to Commissioner for Patents, P.O. 1450, Alexandria, VA 22313-1450.

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Nov. 16, 2004

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Typed or Printed Name of Person Signing Certificate

INFORMATION DISCLOSURE STATEMENT

This information disclosure statement has been filed after the mailing date of the first office action, but before the mailing date of either a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application. Applicants have not provided copies of the cited U.S. patents and patent publications in accordance with the Office's waiver of the requirement under 37 CFR 1.98(a)(2)(i) for all U.S. national patent applications filed after June 30, 2003. The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

Please apply any charges or credits to Deposit Account No. 50-1721.

Respectfully submitted,

Date: Nov. 16, 2004



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Reg. No. 48,680

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Boston, MA 02109
Tel: (617) 261-3100



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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				<i>Complete if Known</i>
Substitute for form 1449A/PTO				Application Number
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				10/654,330
				Filing Date
				September 3, 2003
				First Named Inventor
				Warren F. Rogers, et al.
				Art Unit
				2863
				Examiner Name
				Demetrius R. Pretlow
Sheet	1	of	4	Attorney Docket Number
				W0009/7000PS

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code ² (if known)			
AA		3,579,218	05-18-1971	Forsythe, Jr.	
AB		3,811,598	05-21-1974	Schwarz	
AC		4,290,305	09-22-1981	Gibson et al.	
AD		4,410,949	10-18-1983	Huelleringhorst et al.	
AE		4,796,676	01-10-1989	Hendershot et al.	
AF		4,827,762	05-09-1989	Hasselmann	
AG		4,835,699	05-30-1989	Mallard	
AE		4,915,507	04-10-1990	Janotta	
AF		4,977,528	12-11-1990	Norris	
AG		5,047,101	09-10-1991	Trussler	
AH		5,052,212	10-01-1991	Cohrs	
AI		5,138,559	08-11-1992	Kuehl et al.	
AJ		5,184,504	02-09-1993	Spring	
AK		5,265,032	11-23-1993	Patel	
AL		5,288,367	02-22-1994	Angell et al.	
AM		5,297,423	03-29-1994	Keating et al.	
AN		5,316,057	05-31-1994	Hasselmann	
AO		5,317,899	06-07-1994	Hutchinson et al.	
AP		5,351,725	10-04-1994	Suthergreen et al.	
AQ		5,359,522	10-25-1994	Ryan	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO				<i>Complete if Known</i>	
				Application Number	10,654,330
				Filing Date	September 3, 2003
				First Named Inventor	Warren F. Rogers, et al.
				Art Unit	2863
				Examiner Name	Demetrius R. Pretlow
Sheet	2	of	4	Attorney Docket Number	W0009/7000P5

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
Number - Kind Code ² (if known)					
AR	5,361,216	11-01-1994		Warn et al.	
AS	5,363,093	11-08-1994		Williams et al.	
AT	5,371,495	12-06-1994		Sturges et al.	
AU	5,375,455	12-27-1994		Maresca, Jr. et al.	
AV	5,400,253	03-21-1995		O'Connor	
AW	5,400,924	03-28-1995		Brodie	
AX	5,402,427	03-28-1995		Parker	
AY	5,423,457	06-13-1995		Nicholas et al.	
AZ	5,447,055	09-05-1995		Thompson et al.	
BA	5,471,867	12-05-1995		Tuma et al.	
BB	5,490,516	02-13-1996		Hutson	
BC	5,528,516	06-18-1996		Yemini et al.	
BD	5,530,439	06-25-1996		Steele et al.	
BE	5,544,518	08-13-1996		Hart et al.	
BF	5,665,895	09-09-1997		Hart et al.	
BG	5,686,658	11-11-1997		Boren	
BH	5,757,664	05-26-1998		Rogers et al.	
BI	5,857,501	01-12-1999		Kelerich et al.	
BJ	5,988,439	11-23-1999		Webb	
BK	6,101,816	08-15-2000		Wang et al.	
BL	6,401,045	06-04-2002		Rogers et al.	
BM	20020049549	04-25-2002		Rogers et al	

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/654,330
				Filing Date	September 3, 2003
				First Named Inventor	Warren F. Rogers, et al.
				Art Unit	2863
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Sheet	3	of	4	Attorney Docket Number	W0009/7000P5

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ -Kind Code ⁵ (if known)				
	BN	UK	2,138,947A	10-31-1984			
	BO	FR	2 600 318	12-24-1987			
	BP	UK	2,124,390	02-15-1984			
	BQ	WO	97/46855	12-11-1997			
	BR	EP	0310298	04-05-1989			
	BS	WO	01/04586 A1	01-18-2001	Warren Rogers Assoc.		
	BT	WO	97/46855 A1	12-11-1997	Warren Rogers Assoc.		
	BU	WO	02/079731 A1	10-10-2002	Warren Rogers Assoc.		
	BV	EP	App. No. 009 45280.6-1260 Examination Report dated June 24, 2003		Warren Rogers Assoc.		
	BW	EP	App. No. 00 945280.6-1260 Supplementary European Search Report dated August 8 2002		Warren Rogers Assoc.		
	BX	PCT	Written Opinion, PCT/US02/10096, dated March 18, 2004		Warren Rogers Assoc.		

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
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				Filing Date	September 3, 2003
				First Named Inventor	Warren F. Rogers et al.
				Art Unit	2863
				Examiner Name	Demetrius R. Pretlow
Sheet	4	of	4	Attorney Docket Number	W0009/7000P5

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	BY	EPA Pub. No. 510-K-95-003, "Straight Talk on Tanks: Leak Detection Methods for Petroleum Underground Storage Tanks and Piping" (July 1995)	
	BZ	William E Boyce and Richard C. DiPrima, "Elementary Differential Equations and Boundary Value Problems" Rensselaer Polytechnic Institute (Third Edition)	
	CA	W.F. Rogers, "Volumetric Leak Detection-A Systems Perspective", ASTM STP 1161 (1992)	
	CB	Ken Wilcox Assoc., Inc., "Evaluation of the W.R. Associates SIRA Statistical Inventory Reconciliation System (Version 5.2)" Final Report, Feb. 17, 1995, 19 pages.	
	CC	EPA Pub. No. 510-B-95-009, "Introduction to Statistical Inventory Reconciliation," (Sept. 1995).	

Examiner Signature	Date Considered
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